

DEC. 30. 2004 2:19PM

3175212883 ROCHE IP LAW DEPT

NO. 0304 P. 1

Fax Cover Sheet

RECEIVED
CENTRAL FAX CENTER
DEC 30 2004



Diagnostics

To: U.S.P.T.O. 703-872-9306

Copies:

From: Brian L. Smiler Intellectual Property Law Department
Reg. No. 46,458 Tel. 317-521-3295
Fax 317-521-2883

Date: December 30, 2004

No. of pages: 6 (incl. cover sheet)

RE: U.S. Serial No. 10/091,359 filed March 4, 2002
Docket No. RDID 01033 US (WP 19070 US)
Ex. Lyle A. Alexander
Art Unit 1743
Confirm. No. 7290

A Response to Notice of Non-Compliant Amendment will follow.

CONFIDENTIAL FACSIMILE COMMUNICATION

The information contained in this facsimile message, and any and all accompanying documents, constitutes confidential information which is the property of Roche Diagnostics Operations, Inc. If you are not the intended recipient of this information, any disclosure, copying, distribution, or taking of any action in reliance on this information, is strictly prohibited. If you have received this facsimile message in error, please notify us immediately to make arrangements for its return to us. Thank you.

OFFICIAL OFFICIAL OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant(s) : ROESICKE, Bernd et al.
Serial No. : 10/091,359
Filed : March 4, 2002
Title : SYSTEM FOR THE ANALYSIS OF BIOLOGICAL LIQUIDS
Docket No. : RDID 01033 US (WP 19070 US)
Examiner : ALEXANDER, Lyle A.
Art Unit : 1743
Confirm. No. : 7290

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile transmitted
to the United States Patent and Trademark Office (Fax No.
703-872-9306) on December 30, 2004


Brian L. Smiler - Attorney

Reg. No. 46,458

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This paper is being filed in response to the Notice of Non-Compliant Amendment mailed December 21, 2004 (copy enclosed). In that Notice, with respect to the Amendment and Transmittal of Substitute Specification under 37 CFR §1.125, which was filed on December 2, 2004, it's recited that the "Abstract . . . does not have markings to show changes." A corrected "Amendments to the Specification" section is submitted herewith that meets the requirements of 37 CFR 1.121.

As noted on page 3 of the Amendment, the specification was amended to comply with U.S. formatting requirements and to correct certain typographical errors. No new matter was added. Pursuant to 37 CFR §1.125, the entire specification was replaced with a Substitute Specification. A marked-up copy of the original specification was also enclosed, showing the changes made. Applicants respectfully request that the Amendment and Transmittal of Substitute Specification under 37 CFR §1.125, filed on December 2, 2004, be entered with the enclosed correction.

Serial No. 10/091,359
Docket No. RDID 01033 US (WP 19070 US)

In the event this Amendment and Transmittal of Substitute Specification under 37 CFR §1.125 is still considered to be non-compliant, the Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response.

Respectfully submitted,

ROCHE DIAGNOSTICS OPERATIONS, INC.

By 

Brian L. Smiler
Reg. No. 46,458

9115 Hague Rd., Bldg. D
Indianapolis, IN 46250-0457
Telephone No.: (317) 521-3295
Facsimile No.: (317) 521-2883
E-mail: brian.smiler@roche.com
BLS/